

March 26, 2021



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 16154  
(FOURTH REVISION)

**EXPIRATION DATE: 2024-08-31**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Patriot Fireworks USA, LLC  
Ann Arbor, MI
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of certain consumer fireworks in a bulk packaging consisting of an ISO-standard freight container in which authorized explosives are packed on wooden or metal shelving systems which are waived from marking and labeling. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Column (8C) and 173.62, in that non-DOT specification bulk packaging is not authorized, except as provided herein.
5. BASIS: This special permit is based on the application of Patriot Fireworks, LLC dated August 27, 2020, submitted in accordance with § 107.105 and the public proceeding thereon and additional information dated March 25, 2021.

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<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identi- fication Number</b>	<b>Packing Group</b>
Fireworks	1.4S	UN0337	N/A
Fireworks	1.4G	UN0336	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Bulk packaging consisting of an ISO-standard freight container not greater than 40 feet in length that conforms to the requirements of the International Convention for Safe Containers (CSC), as amended, in which authorized explosives are packed on wooden or metal shelving systems, which may be either removable or permanently affixed to the freight container. The shelving systems must meet the following requirements:

(1) Each section of wooden or metal shelving must be tightly and securely attached to the interior sides (long walls) of the freight container in such a manner as to prevent significant movement relative to the freight container under the shocks, loadings, and vibrations normally incident to transportation.

(2) The maximum width of each shelf shall be 22 inches.

(3) The top surface of each shelf, its ends, and the rear of each shelf along the freight container wall shall be lined with multiwall double-faced corrugated fiberboard that meets the requirements of § 178.516(b)(1). Fireworks loaded on the shelf must not directly contact the structure of the shelves or the side wall of the freight container.

(4) Fireworks loaded on shelves must be placed in trays, boxes, or similar containers capable of securing and containing the fireworks.

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(5) During transportation -

(i) Sufficient cushioning material must be placed between fireworks in any incompletely filled shelf or container to prevent significant movement of the fireworks during transport;

(ii) Inflatable cushioning material must be placed above the fireworks on each shelf in such a manner as to restrain the fireworks and prevent any significant vertical movement and assist in inhibiting any significant lateral movement during transportation;

(iii) The following restraint systems are authorized provided that the restraint system used is securely affixed against the interior face of each shelf-section to prevent significant lateral shifting of the fireworks packages or the release of any fireworks into the interior of the freight container when the container is subjected to a lateral acceleration of 0.7 g:

(A) Strong plywood sheeting, or

(B) Cargo webbing consisting of a grid of securely connected, flat polypropylene, nylon, or polyester belts securely attached at its periphery to the shelf sections, or

(C) Metal fencing or grating securely attached to the shelf sections, and;

(iv) The total net weight of fireworks devices in the freight container must not exceed 1700 kg (3748 pounds).

b. OPERATIONAL CONTROLS:

(1) Only fireworks that have valid EX approvals or FC certification letters may be packaged and shipped under this special permit.

(2) The fireworks must be in inner packagings suitable for retail sale, and must be loaded on shelves as prescribed in this special permit. Unfinished products are prohibited.

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(3) All loading of fireworks onto shelves and placement of removable shelves into the freight container must be performed solely by employees of the grantee, at warehouses or other facilities under the control of the grantee.

(4) No other hazardous materials may be transported within the freight container.

(5) Transportation must be by private motor carrier only, and within a 600 mile radius of the location at which the fireworks are loaded into the freight container.

(6) The driver of the transport vehicle must be instructed that when the vehicle is in an accident involving spilled fuel or fire, the vehicle must be moved to a safe location unless moving the vehicle would directly endanger others.

c. TESTING: Required only when utilizing the restraint systems described in paragraph 7.a.(5)(iii)(B) or (C).

(1) Capability to satisfy the requirement specified in paragraph 7.a.(5)(iii) must be demonstrated through testing on a shelf section subjected to a 0.7 g lateral acceleration, with the restraint system applied as intended for transport and the shelves loaded with representative fireworks that are restrained vertically by the inflatable cushioning material required by paragraph 7.a.(5)(ii),

(2) The shelves must be filled to a mass as determined on the basis of the full load mass limitation in paragraph 7.a.(5)(iv), with this maximum mass being evenly distributed on all shelves in the freight container. Inert material in conjunction with representative fireworks may be used to achieve the full load mass limitation.

(3) The restraint system is considered to satisfy this requirement if no firework undergoes a lateral displacement of more than six inches and no fireworks escape the restraint system,

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(4) A report for each restraint system passing this test must be sent to the General Approvals and Permits branch via [specialpermits@dot.gov](mailto:specialpermits@dot.gov) before being used under the terms of this special permit, and

(5) In the case when fireworks are not completely enclosed in an outer package, only fireworks of similar size or larger than those used during the testing are permitted to be transported in conjunction with the restraint system.

(6) No package containing fireworks may have any dimension less than the shortest dimension of the opening in the cargo webbing, metal fencing or grating employed in the restraint system, with an absolute minimum dimension of 6 inches.

8. SPECIAL PROVISIONS:

a. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

b. The marking requirements of § 172.301(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq.

o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

o Registration required by § 107.601 et seq., when applicable.

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Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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Copies of this special permit may be obtained by accessing the  
Hazardous Materials Safety Homepage at

[http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm).

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PO: ae